

Gordon-Munn Case Back to Lower Court Again.

Gordon-Munn Case Again.
For the second time the supreme court today denied Jennie S. Gordon the right to a widow's share of the rich G. S. Gordon estate and remanded the case to the shawnee county district court for a third trial.

deals. In the second action, involving deeds to \$30,000 worth of property, made by Gordon to his wife a few months before his death, the supreme court held for Mrs. Gordon.

Jennie S. Gordon was twice married and divorced before her marriage to the wealthy Popelcan. Both of her previous decrees were questioned by Lillie Gordon-Munn, who contested the stepmother's right of inheritance. But the supreme court said these decrees were regular and that the marriage contract with Gordon should stand. Then there was an ante nuptial contract, wherein Gordon gave his fiancée a deed to two small pieces of north Topeka property. After his death, Mrs. Gordon, this contract was subsequently abrogated by Gordon. This was the only property of her only inheritance. But the supreme court held in which the wife buried her husband back to health and he is said to have promised her a woman full widow's portion of the estate.

Testimony was offered by Mrs. Munn that she believed Gordon still adhered to the ante nuptial contract a short time before his death. This testimony was rejected by Judge Whitcomb, the trial judge, and it was on the rejection of this testimony that the supreme court reversed the case and remanded the action for rehearing.

A second action involving deeds from Gordon to his wife conveyed the home and property east of Topeka. Mr. Munn contended that her father was mentally incapacitated and that she used undue influence in securing the signature to these deeds. The property conveyed in these deeds was valued at \$30,000. The supreme court, however, appraised it at \$110,000. Judge Dana held that Mrs. Gordon was entitled to the Potwin allotment and the supreme court upheld the decision.

The Gordon-Munn case was one of the most hotly contested civil actions tried in this county in years. Three weeks were consumed in the taking of testimony at each of the two trials.

Some property of the late Judge Whitcomb's division, only to have her case again reversed. The third trial will be held in October or November.

The supreme court today affirmed the decision rendered in the following cases:

George Hampe vs. 247 damages against Aaron Sage for breach of a contract in the sale of real estate. Sage contended that the deed was void because it was an Indian allotment, but the supreme court said this was not a proper pleading in defense. Affirmed.

Hampe and Sage entered into an agreement whereby Sage was to convey to the plaintiff certain Oklahoma lands in exchange for Shawnee county property. The conveyance was never made and Hampe brought suit for damages. A portion of the case was shown that the Sage property was a portion of a grant held in trust for the benefit of the members of the tribe of Pottawatomie Indians, and that under the act of congress any conveyance or contract looking thereto was null and void. This was pleaded in defense of the Hampe claim, but the supreme court said that it was not a proper pleading in an action of fraud and action for damages. Affirmed.

SUPREME COURT DECISIONS

List of opinions handed down by the supreme court of the state of Kansas, Saturday, July 6, 1912:

BY JOHNSTON, C. J.

Sherman Culbertson, appellee vs. the Iola Portland Cement Co., et al., appellants. Appeal from Allen county. Affirmed.

F. L. Martin, et al, appellants, vs. Galen S. Battey, et al, appellees; appeal from Jewell county. Affirmed. (Smith, J. not sitting.)

Kansas Data Co. et al, appellees vs. Kansas City Pipe Line Co., appellant; from Wilson county. Affirmed.

E. M. E. Thompson, appellant, vs. Oscar Barber, appellee; appeal from Jackson county. Affirmed.

Adaline E. Storey, appellant, vs. Ignatz Lang et al, appellees; appeal from Trego county. Affirmed.

The state of Kansas, appellee, vs. George H. Terrill, appellant; appeal from Pawnee county. Affirmed.

BY BURCH, J.

H. L. Mills et al, appellees, vs. C. E. Rossier, appellant; appeal from Harper county. Affirmed.

H. L. Mills et al, appellees, vs. O. B. Cleveland, appellant; appeal from Harper county. Affirmed.

The state of Kansas, appellee, vs. Clifford Link, appellant; appeal from Wyandotte county, court common pleas. Affirmed.

BY MASON, J.

Joseph Reickner, appellee, vs. H. Denning et al, appellants; appeal from Allen county. Reversed and remanded for further proceedings.

John D. Funk, appellee, vs. The Shawnee Fire Insurance Co., appellant; appeal from Marion county. Affirmed.

Frank Henry, appellant, vs. The Kaw Rollerworks, etc., appellees; appeal from Chautauqua county. Reversed and remanded for further proceedings.

Bella C. Holmes et al, appellees, vs. The Campbell college et al, appellants; appeal from Cowley county. Reversed and remanded for directions to render judgment for the defendants.

E. F. Evans, appellee, vs. The Central Life Insurance Co., appellant; appeal from Harvey county. Modified by deducting attorneys' fee, otherwise affirmed.

Joseph L. Landrey, plaintiff, vs. Frank N. Holcomb, defendant; original proceeding in mandamus. Writ allowed.

Republicans

R. V. LEESON.

He is one of the young men of the city with the cares and responsibilities of an old head upon his shoulders. Leeson, the elected representative of the Thirty-fourth district will prove one of the strongest exponents of good roads and state improvement. The people of the Thirty-fourth may be certain their interests will be looked after promptly and conscientiously if Leeson is elected to the next legislature.





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SAMUEL G. ZIMMERMAN.

Sam has made a good many friends and they are all for him, simply because he has minded his own business and knows how to do the work of a county clerk, no one else, and his work has never been successfully criticised.



JUDGE WILLIAM F. SCHOCH.

His careful, judicious work and the fact that he is a good fellow recommends Judge Schoch to the people for continuation in his present position. His friends are for him first last and all the time. He holds no grievance against anyone and depends entirely upon popular satisfaction to decide if he shall remain in the office of probate judge of Shawnee county.



C. W. BOWER.

While Clerk Bower has told the writer of these squibs just what he thought of him, that does not hinder Mr. Bower making an efficient clerk. In fact it is that such a characteristic increases the people of the county that there will be no fol-do-rol in the office of the Clerk of the District Court. Mr. Bower has the experience and ability to make a good clerk. He will have something to say for himself in a few days.

County Officers



H. W. BOMGARDNER.

Laying aside the fact that Coron Bomgardner goes about his official business without calling the newspapers into consultation sometimes, he is a pretty good official. The coroner has proven, during a short appointive term, that a citizen with common sense and good judgment can fill the office satisfactorily.